

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

DAVID ROBIN WHITMORE,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. CIV-10-448-M
	)	
RONALD HILL, RALPH FORD and	)	
DAVID MILLER,	)	
	)	
Defendants.	)	


**ORDER**

On December 15, 2010, United States Magistrate Judge Valerie K. Couch issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983, alleging violations of plaintiff's constitutional rights. The Magistrate Judge recommended that Defendants' Motion to Dismiss/Summary Judgment, construed as a motion for summary judgment, be granted on the grounds that plaintiff has failed to establish a violation of his federal constitutional rights. The parties were advised of their right to object to the Report and Recommendation by January 5, 2011. On January 19, 2010, plaintiff filed his objection, objecting to the Report and Recommendation in its entirety.

Having carefully reviewed this matter de novo, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on December 15, 2010;
- (2) GRANTS defendants' Motion to Dismiss/ Motion for Summary Judgment [docket no. 17]; and
- (3) ORDERS that judgment issue forthwith in favor of defendants and against plaintiff on each of plaintiff's federal law claims.

**IT IS SO ORDERED this 26th day of January, 2011.**



VICKI MILES-LaGRANGE  
CHIEF UNITED STATES DISTRICT JUDGE